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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 THOMAS JOHN SMITHSON,

11 Petitioner,

No. CIV S-01-1373 GEB DAD P

12 vs.

13 DERRAL ADAMS, Warden, et al.,

14 Respondents.

ORDER

15 _____/
16 This matter is on the court's January 13, 2006 law and motion calendar for
17 hearing of respondents' August 11, 2005 motion to obtain discovery in preparation for
18 evidentiary hearing. In addition, January 13, 2006, is the due date for petitioner's traverse to
19 respondents' answer filed August 15, 2005. Before the court is petitioner's request for a second
20 extension of time to file a traverse and for a second continuance of the hearing of respondents'
21 fully briefed motion. The court will grant petitioner's unopposed request for extension of time
22 and continuance but will require petitioner to file his traverse one week prior to the hearing of
23 respondents' motion. The court does not anticipate granting a third continuance of the hearing.

24 IT IS ORDERED that:

25 1. Petitioner's January 10, 2006 request for extension of time to file traverse and
26 to continue the hearing set for January 13, 2006, is granted in part;

1 2. Petitioner's traverse to respondents' August 15, 2005 amended answer, as well
2 as any supporting memorandum, shall be filed and served on or before April 14, 2006; and

3 3. The hearing on respondents' August 11, 2005 motion to obtain discovery is
4 continued from January 13, 2006, to April 21, 2006, at 10:00 a.m. in Courtroom #27; any party
5 may appear telephonically; to arrange telephonic appearance, a party shall contact Pete Buzo, the
6 courtroom deputy of the undersigned magistrate judge, at (916) 930-4128 no later than three days
7 prior to the hearing.

8 DATED: January 12, 2006.

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DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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